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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ARNOLD ABRERA,

Plaintiff,

v.

GAVIN NEWSOM, in his official capacity
as Governor of the State of California; ROB
BONTA, in his official capacity as Attorney
General of the State of California; ANNE
MARIE SCHUBERT, in her official
capacity as County of Sacramento District
Attorney; COUNTY OF SACRAMENTO;
BOBBY DAVIS, in his official capacity as
Chief of the Elk Grove Police Department;
JONATHAN P. HOBBS, in his official
capacity as the City Attorney for the City of
Elk Grove; CITY OF ELK GROVE;

Defendants.

No. 2:22-cv-1162-JAM-DB

**PLAINTIFF'S OPPOSITION
DEFENDANTS BOBBY DAVIS',
JONATHAN P. HOBBS' AND CITY
OF ELK GROVE'S JOINDER IN
DEFENDANTS' COUNTY OF
SACRAMENTO AND ANNE MARIE
SCHUBERT'S MOTION TO
DISMISS PLAINTIFF'S SECOND
AMENDED COMPLAINT**

Date: May 21, 2024

Time: 1:30 p.m.

Courtroom: 4

Judge: Honorable Dale A. Drozd

Location:

501 I Street
Sacramento, CA

Complaint Filed: 7/5/2022

Trial Date: None Set

**PLAINTIFF OPPOSITION TO ELK GROVE DEFENDANTS' JOINDER
TO COUNTY OF SACRAMENTO CO-DEFENDANTS MOTION TO
DISMISS**

Since "... the Elk Grove Defendants adopt all arguments, facts, and points and authorities submitted by County of Sacramento Defendants as though the Elk Grove Defendants had set forth all such matters in full", Plaintiff hereby incorporates his complete opposition to County of Sacramento Defendants motion to dismiss as though the Plaintiff had set forth all such matters in full in this opposition.

For clarification purposes, Elk Grove defendants have filed a Petition for Judicial Determination Re: Return of Firearms captioned *City of Elk Grove vs. Eugenie Abrera*, Sacramento Superior Court case number 34-2021-20000745 (SAC ¶s 63-65). Plaintiff is not a named party.

The Petition does involve all six of Plaintiff's firearms, including his two AR-15s.

Therefore, both the County of Sacramento Defendants and Elk Grove Defendants are asserting jurisdiction over the two AR-15s in purely civil matters.

What is not addressed is why Plaintiff's handguns have not been returned to him as he was not the subject of a § 5150 hold.

The protected "arms" legally purchased in California and seized from Plaintiff's home by the Elk Grove defendants, and still in their custody, are as follows: One (1) Glock, Inc., Model 17, 9mm Cal., Serial No. BBDW312; One (1) Sig Sauer Model SP2022, .40 Cal., Serial No. 24B245366; One (1) Sig Sauer Model SP2022, 9mm Cal., Serial No. 24B245997; One (1) Sturm, Ruger & Co., Model LC380CA, .380 Cal., Serial No. 32653888; One (1) Del-Ton Inc., Model DTI 15, 5.56 Cal., Serial No. B6215; and, One (1) Roggio Arsenal, Model RA L5, Multi-Caliber, Serial No. RA09011623. (SAC ¶s 57-61)

CONCLUSION

The motion should be denied. If any part of the motion is granted, Plaintiff requests leave of court to file an amended and supplemental pleading.

DATED: March 25, 2024

Respectfully submitted,
LAW OFFICES OF GARY W. GORSKI
/s/ Gary W. Gorski
GARY W. GORSKI
Attorney for Plaintiff Arnold Abrera